

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

MARY L. FLOWERS,	)	Case No. 4:08CV3
	)	
Plaintiff,	)	JUDGE DONALD NUGENT
	)	Magistrate Judge George J. Limbert
v.	)	
	)	
JO ANNE BARNHART,	)	<u>REPORT AND RECOMMENDATION</u>
COMMISSIONER OF	)	<u>OF MAGISTRATE JUDGE</u>
SOCIAL SECURITY,	)	
	)	
Defendant.	)	

This matter is before the Court upon the parties' joint stipulation for remand. ECF Dkt. #14.

On June 16, 2008, the parties filed this motion indicating that they would stipulate to an Order of this Court reversing the Commissioner's decision and remanding this case for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). *Id.* The parties agree that the case should be remanded so that the ALJ can locate and evaluate the evidence that was missing from the administrative record which was contained in Exhibits 12F and 13F, as accepted by the ALJ at the May 24, 2005. *Id.* The parties further agree that the ALJ may request any additional development deemed necessary in order to complete the administrative record and issue a new decision. *Id.*

Based upon the agreement of the parties and the reasons presented for a remand, the undersigned recommends that the Court find that a remand is proper under sentence four of 42

U.S.C. § 405(g) for the procedures stated above. The undersigned thus recommends that the Court reverse the Commissioner's decision and remand this case for further proceedings.

Dated: June 16, 2008

/s/George J. Limbert

GEORGE J. LIMBERT

United States Magistrate Judge

ANY OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within ten (10) days of service of this notice. Failure to file objections within the specified time WAIVES the right to appeal the Magistrate Judge's recommendation. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).